

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CARMEN ALMONTE, : CIVIL ACTION
Plaintiff :
: vs.
MICHAEL. J. ASTRUE, :
Commissioner of Social Security, :
Defendant : NO. 07-1680

ORDER

DAVIS, J.

AND NOW, this 31st Day of December , 2007,
upon consideration of the parties' cross-motions for summary
judgment, and after careful review of th Report and
Recommendation of United States Magistrate Judge Linda K.
Caracappa, IT IS ORDERED THAT:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. Plaintiff'S Motion for Summary Judgment is GRANTED;
3. Defendant's Cross Motion for Summary Judgment is DENIED.
4. The case is REMANDED in accordance with the fourth
sentence of 41 U.S.C. Section 405(g) to the Commissioner of the
Social Security Administration for proceedings consistent with
the Report and Recommendation of United States Magistrate Linda
K. Caracappa.

It is so ORDERED.

BY THE COURT:

/S/LEGROME D. DAVIS

LEGROME D. DAVIS, J.